

**RESOLUTION NO. 2024-**

**A RESOLUTION APPROVING THE JOINT PETITION SETTLEMENT AND MAKING PAYMENT OF THE SETTLEMENT IN THE WORKERS' COMPENSATION CASE OF CRAIG CALDWELL FOR THE AMOUNT OF TEN THOUSAND THREE HUNDRED SIXTY-EIGHT AND NO/100 DOLLARS (\$10,368.00) INCLUDING AN ATTORNEY'S FEE PAYMENT IN THE AMOUNT OF TWO THOUSAND SEVENTY-THREE AND 60/100 DOLLARS (\$2,073.60); DIRECTING THREE PERCENT (3%) OF SAID JUDGMENT, IN THE AMOUNT OF THREE HUNDRED ELEVEN AND 04/100 DOLLARS (\$311.04), TO BE PAID DIRECTLY TO THE OKLAHOMA TAX COMMISSION AS A MULTIPLE INJURY TRUST FUND TEMPORARY ASSESSMENT IN ACCORDANCE WITH 85A OKLA. STAT. SECTION 31.A.7; AND FILING A FOREIGN JUDGMENT IN THE DISTRICT COURT OF COMANCHE COUNTY FOR PURPOSE OF PLACING SAID JUDGMENT ON THE TAX ROLLS.**

**WHEREAS**, Craig Caldwell has filed an injury claim with the Workers' Compensation Commission for disability benefits as a result of an injury to his back, which occurred on October 18, 2022, while lifting weights, while on duty as a Firefighter for the City of Lawton, Fire Department; and,

**WHEREAS**, a Joint Petition Settlement has been reached in the amount of Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60); and,

**WHEREAS**, pursuant to Title 85A Okla. Stat. Section 31.A.7., for injuries occurring on or after July 1, 2019, the Oklahoma Tax Commission shall assess and collect from claimants a Multiple Injury Trust Fund temporary assessment in the amount of three percent (3%) of the total award or settlement for permanent partial disability or permanent total disability; and,

**WHEREAS**, in the Joint Petition Settlement filed with the Workers' Compensation Commission, the claimant agreed that said assessment, representing three percent (3%) of the joint petition settlement amount attributable to permanent partial disability or permanent total disability, shall be deducted from the settlement amount and paid by the employer; and,

**WHEREAS**, the above referenced Multiple Injury Trust Fund Assessment representing three percent (3%) of the joint petition settlement amount attributable to permanent partial disability or permanent total disability is Three Hundred Eleven and 04/100 Dollars (\$311.04); and,

**WHEREAS**, the amount due to Craig Caldwell will be Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60) and including a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of Three Hundred Eleven and 04/100 Dollars (\$311.04).


**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Lawton, that the City Council approves the Joint Petition Settlement and filing of a foreign judgment for purposes of placing said judgment on the tax rolls and making payment of Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60) and a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of Three Hundred Eleven and 04/100 Dollars (\$311.04), in the workers' compensation case of Craig Caldwell.

**PASSED and APPROVED** by the Mayor and Council of the City of Lawton, Oklahoma this 27th day of February 2024.

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STANLEY BOOKER, MAYOR

ATTEST:

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DONALYNN BLAZEK-SCHERLER, CITY CLERK

 APPROVED as to form and legality this \_\_\_\_ of February 2024.  
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GARRETT LAM, ASSISTANT CITY ATTORNEY